

REMARKS

Claims 1-15 are pending in this application.

Rejections Under 35 U.S.C. § 103(a)

a. **Claims 1-15**

Claims 1-15 stand rejected under 35 U.S.C. § 103(a) for obviousness over the teachings of U.S. Patent No. 6,276,750 to Frisch in view of the teachings of U.S. Patent No. 5,793,308 to Rosinski et al. In view of the following remarks, reconsideration of these rejections is respectfully requested.

Claims 1-15 stand rejected for obviousness over the teachings of Frisch in view of Rosinski. However, the primary reference (Frisch) is not prior art against the pending application. Frisch was filed in the United States on March 25, 1999 claiming priority to a German application filed April 3, 1998. Frisch issued on August 21, 2001. The present application was filed in the United States on March 15, 2001 and claimed priority to a German application filed March 15, 2000. However, both Frisch and the pending application are both owned by the same entity (Still GmbH). Therefore, pursuant to 35 U.S.C. § 103(c), Frisch is not prior art against the pending application.

Claim 1 is directed to an industrial truck comprising a driver's seat oriented in a forward direction, at least one screen located in the vicinity of the driver's seat, a first camera pointing toward the rear of the industrial truck, and at least one additional camera directed toward the rear of the industrial truck. The first camera is provided to view a distant area and the at least one additional camera is provided to view a near area behind the industrial truck. The image taken with the first camera and/or the image taken with the at least one additional camera can be displayed on the screen.

Rosinski is directed to a vehicle rear view system in which a vehicle operator can utilize the normal field of view of a side view mirror and can also view "blind spots" utilizing a video display mounted on the mirror (Rosinski at column 3, lines 16-23 and lines 33-42). In Rosinski, the display 3 is mounted within the side view mirror on the exterior of the vehicle or mounted on a standard rear view mirror (Rosinski at column 5, lines 9-35). Thus, in Rosinski, the rear view mirror is utilized for real time direct viewing and also as a support on which to display images by a rear looking camera. Rosinski specifically argues against a system utilizing cameras and monitors to allow visual observation of areas not

viewable through mirrors. Rosinski states that such systems are expensive and requires the operator to divert his attention from other vehicle systems, such as the mirror (Rosinski at column 1, lines 41-48). Thus, Rosinski does not teach or suggest the claimed industrial truck having a first camera pointing towards the rear and at least one additional camera directed toward the rear of the industrial truck in which the first camera is provided to view a distant area and the at least one additional camera is provided to view a near area behind the industrial truck with the image taken with the first camera and/or the image taken with the at least one additional camera displayed on a screen located in the vicinity of the driver's seat, as claimed in claim 1. Reconsideration of the rejection of claim 1 is respectfully requested.

Claims 2-15 depend from claim 1 and, with the elimination of the primary reference Frisch, are clearly patentable over Rosinski. Reconsideration of the rejections of claims 2-15 is respectfully requested.

b. Claims 12 and 13

Claims 12 and 13 stand rejected for obviousness over the teachings of Frisch and Rosinski in view of the teachings of U.S. Patent No. 5,542,490 to Kemshall et al.

As discussed above, Frisch is not a valid prior art reference against the pending application. Rosinski has been discussed above. The Examiner relies upon Kemshall for disclosing an electrical steering sensor located in the vicinity of an armrest of the driver's seat. However, the Rosinski and Kemshall combination does not teach or suggest the invention of claim 1, from which claims 12 and 13 depend. Therefore, claims 12 and 13 are not rendered obvious by the Rosinski and Kemshall combination. Reconsideration of the rejections of claims 12 and 13 is respectfully requested.

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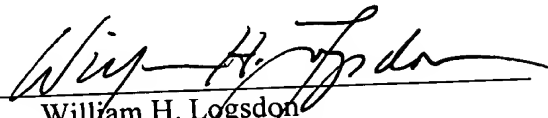
Conclusion

In view of the above remarks, removal of Frisch as a prior art reference and allowance of all of claims 1-15 are respectfully requested.

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